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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/550,172

06/28/2006

Max Deffenbaugh

2003UR014

5298

34477

7590

04/28/2008

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EXAMINER

TAYLOR, VICTOR J

ART UNIT

PAPER NUMBER

2863

MAIL DATE

DELIVERY MODE

04/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/550,172	DEFFENBAUGH ET AL.	
	Examiner	Art Unit	
	VICTOR J. TAYLOR	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/21/05, 10/26/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims

1. Claims 1-14 are pending in the instant application. Therefore, claims 1-14 are presented for examination.

Drawings

2. The drawings were received on 9/21/2005. These drawings are approved.

Specification

3. The disclosure is objected to because of the following informalities:
4. The abstract is required to be submitted on a separate page and in a single paragraph. The present abstract is not clear dark and hard to read and well defined and clear as required for publication. Appropriate correction is required.

Information Disclosure Statement

5. The information disclosure statement filed 10/26/2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the listing contains only the content pages listing for each of the three books and no copy of the cited text publication or listed cited pages were included in the cited publication documents. It has been placed in the application file, but the information referred to therein has not been considered as to the merits.

Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with

the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant;

I. Art A of Cross et al., US 6,246,963 A in class 702/14 is cited for the method for predicting stratigraphic in the field of quantitative sedimentologic and stratigraphic prediction calculated from geologic data to predict sedimentologic attributes using the mathematical inverse algorithm in the forward model (24) in figure 1 and in forward and reverse modeling for steps of predicting in lines 1-55 of column 4.

II. Art B of Hennington US 4,821,242 A in class 367/53 is cited for the method and apparatus for depositional reconstruction for petroleum using modeling techniques for depositional stratigraphic reservoir development (230) in figure 1 using flow energies to detect sediments with computational computer processes in lines 10-50 of column 6.

Quayle Action

7. This application is in condition for allowance except for the following formal matters:

I. Correction to the IDS submitted 10/26/2005 to include the complete text of the disclosed material for review by the examiner concerning the cited prior art.

II. Correction to the abstract for a single paragraph on a single page.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, and (Comm'r Pat. 1935). A shortened

statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this action.

Allowable Subject Matter

8. Claims 1-14 are allowed.

9. The following is an examiner's statement of reasons for allowance:

The invention of independent claims 1 and 12 is not seen in the prior art for determining properties of a water-lain sediment body from a measurement of grain size distribution and deposit thickness at one location in the body of a sedimentary deposit using the data and operational criteria including use of contour of constant deposit thickness extrapolating flow properties and determination water laid sediment for generation of fluid flow and deposit properties and is not found in the cited art of record.

Claims 2-11 and 13-14 are dependent on the allowed independent claims 1 and 12 and are allowed at least for the reasons cited above.

It is these reasons and limitations expressed in each of these claims and not found, taught, or suggested in the prior art of record, that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VICTOR J. TAYLOR whose telephone number is (571)272-2281. The examiner can normally be reached on 8:00 to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2863. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VJT/
4/03/2008

/John E Barlow Jr./
Supervisory Patent Examiner, Art
Unit 2863